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*Attorneys for Harold David Sobel*

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

HAROLD DAVID SOBEL,

Defendant.

CASE NO.: 2:21-cr-00235-APG-EJY

**Stipulation to Continue Sentencing and  
Proposed Order  
(First Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney for the District of Nevada, and Mina Chang, Assistant United States Attorney, and Gustav W. Eyler, Director, and Meredith B. Healy and Wei Xiang, Trial Attorneys, U.S. Department of Justice, Consumer Protection Branch, counsel for the United States of America, and Jacqueline Tirinnanzi and Kathleen Bliss, counsel for Harold David Sobel, that the sentencing hearing currently scheduled for October 12, 2022 at 9:30 a.m. (ECF No. 53) is continued for at least three weeks, to a date and time convenient to this Court, which this Court has indicated as November 3, 2022. This stipulation is made and based upon the following:

1. Mr. Sobel was indicted on August 24, 2021 with conspiracy (count one) in violation of 18 U.S.C. § 371 and false statement to a bank (counts two and three) in violation of 18 U.S.C. § 1014. (ECF No. 14.)
2. Mr. Sobel entered a change of plea on July 14, 2022, pleading guilty to one count of conspiracy to commit bank fraud in violation of 18 U.S.C. §§ 1349 and 1344(1). (ECF No. 53).

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3. Counsel for Mr. Sobel were recently in Reno preparing and attending a trial during the first half of September 2022 and require additional time to review relevant materials and continue meeting with Mr. Sobel in preparation for sentencing.
4. The parties agree to at least a three-week continuance of the original sentencing date, currently scheduled for October 12, 2022 at 9:30 a.m. (EF No. 53). This Court has indicated November 3, 2022 as a convenient date to reschedule the sentencing hearing. Said date is also amenable for government counsel, some of whom will travel to Las Vegas from Washington, D.C.
5. Mr. Sobel remains in custody at the Nevada Southern Detention Center in Pahrump, Nevada and does not oppose this continuance.
6. The additional time requested herein is sought in good faith and not for purposes of delay.
7. This is the first stipulation to continue the sentencing hearing.
8. The additional time requested by this stipulation is reasonable pursuant to Fed. R. Crim. P. 32(b)(2), which states that the “court may, for good cause, change any time limits prescribed [for sentencing] in this rule.” Furthermore, a delay in sentencing does not implicate or undermine the defendant’s speedy trial rights under the United States Constitution, which terminated upon conviction. *See Betterman v. Montana*, 136 S.Ct. 1609, 1617-18 (2016).
9. Denial of this request for continuance would deny counsel for Mr. Sobel sufficient time to effectively and thoroughly prepare for sentencing, taking into account due diligence. Accordingly, a denial of this request for continuance could result in a miscarriage of justice.

Dated this 4<sup>th</sup> day of October, 2022.

JASON M. FRIERSON  
United States Attorney

By /s/ Mina Chang

1 MINA CHANG  
2 Assistant United States Attorney

3 GUSTAV W. EYLER  
4 Director, Consumer Protection Branch  
5 U.S. Department of Justice

6 By /s/ Meredith Burns Healy  
7 MEREDITH BURNS HEALY  
8 Trial Attorney

9 By /s/ Wei Xiang  
10 WEI XIANG  
11 Trial Attorney

12 /s/ Jacqueline Tirinnanzi  
13 JACQUELINE TIRINNANZI, ESQ.  
14 Counsel for Harold David Sobel  
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1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

CASE NO.: 2:21-cr-00235-APG-EJY

4 Plaintiff,

5 vs.

**FINDINGS OF FACT, CONCLUSIONS  
OF LAW, AND PROPOSED ORDER**

6 HAROLD DAVID SOBEL,

7 Defendant.  
8

9 **FINDINGS OF FACT**

10 Based on the pending stipulation of counsel, and good cause appearing therefore, the Court  
11 finds that:

- 12 1. Mr. Sobel was indicted on August 24, 2021 with conspiracy (count one) in violation  
13 of 18 U.S.C. § 371 and false statement to a bank (counts two and three) in violation  
14 of 18 U.S.C. § 1014. (ECF No. 14.)
- 15 2. Mr. Sobel entered a change of plea on July 14, 2022, pleading guilty to one count of  
16 conspiracy to commit bank fraud in violation of 18 U.S.C. §§ 1349 and 1344(1).  
17 (ECF No. 53).
- 18 3. Counsel for Mr. Sobel were recently in Reno preparing and attending a trial during  
19 the first half of September 2022 and require additional time to review relevant  
20 materials and continue meeting with Mr. Sobel in preparation for sentencing.
- 21 4. The parties agree to at least a three-week continuance of the original sentencing date,  
22 currently scheduled for October 12, 2022 at 9:30 a.m. (EF No. 53). This Court has  
23 indicated November 3, 2022 as a convenient date to reschedule the sentencing  
24 hearing. Said date is also amenable for government counsel, some of whom will  
25 travel to Las Vegas from Washington, D.C.
- 26 5. Mr. Sobel remains in custody at the Nevada Southern Detention Center in Pahrump,  
27 Nevada and does not oppose this continuance.
- 28 6. The additional time requested herein is sought in good faith and not for purposes of

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1 delay.

- 2 7. This is the first stipulation to continue the sentencing hearing.
- 3 8. The additional time requested by this stipulation is reasonable pursuant to Fed. R.
- 4 Crim. P. 32(b)(2), which states that the “court may, for good cause, change any time
- 5 limits prescribed [for sentencing] in this rule.” Furthermore, a delay in sentencing
- 6 does not implicate or undermine the defendant’s speedy trial rights under the United
- 7 States Constitution, which terminated upon conviction. *See Betterman v. Montana*,
- 8 136 S.Ct. 1609, 1617-18 (2016).
- 9 9. Denial of this request for continuance would deny counsel for Mr. Sobel sufficient
- 10 time to effectively and thoroughly prepare for sentencing, taking into account due
- 11 diligence. Accordingly, a denial of this request for continuance could result in a
- 12 miscarriage of justice.

13 **ORDER**

14 Based upon the stipulation of the parties, and good cause appearing, it is hereby

15 ORDERED that Mr. Sobel’s sentencing hearing currently scheduled for October 12, 2022, at 9:30

16 a.m., be VACATED.


17 IT IS FURTHER ORDERED that the sentencing hearing is reset for November 3, 2022

18 at the hour of 1:30 p.m. in Courtroom 6C before Judge Andrew P. Gordon.

19 DATED: October 5, 2022

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23 THE HONORABLE ANDREW P. GORDON

24 UNITED STATES DISTRICT JUDGE

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